

AMENDED IN SENATE APRIL 5, 2010

**SENATE BILL**

**No. 1147**

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**Introduced by Senator DeSaulnier**

February 18, 2010

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*An act to add Chapter 4.5 (commencing with Section 13839) to Title 6 of Part 4 of the Penal Code, relating to public safety.*

LEGISLATIVE COUNSEL'S DIGEST

SB 1147, as amended, DeSaulnier. ~~Department of Public Safety. Coordinated Public Safety System Committee.~~

Existing law provides for the safety of the public, as specified.

~~This bill would express the intent of the Legislature to create a Department of Public Safety, the head of which shall serve in the Governor's cabinet establish the Coordinated Public Safety System Committee. The bill would specify the makeup of the committee's members and how they are to be appointed, would specify how, when, and where the committee meetings would be held, and would require that the committee provide, by December 31, 2011, a Master Plan for California Public Safety to the Legislature and Governor which has the objective of making the public safer and which addresses specified issues relating to that objective. The bill would provide that the committee meet only upon appropriation by the Legislature for its expenses.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     *SECTION 1. Chapter 4.5 (commencing with Section 13839)*  
2     *is added to Title 6 of Part 4 of the Penal Code, to read:*

3  
4             *CHAPTER 4.5. COORDINATED PUBLIC SAFETY SYSTEM*  
5

6     *13839. The Legislature makes the following findings and*  
7     *declarations:*

8         *(a) Recent crimes committed by parolees raise serious questions*  
9         *about the parole system, monitoring of parolees, and resources*  
10        *available for this purpose.*

11        *(b) Correctional facilities under the jurisdiction of the*  
12        *Department of Corrections and Rehabilitation are at a dangerous*  
13        *and unsafe level of overcrowding. Additionally, the health care*  
14        *provided to prisoners at those facilities is so inadequate that the*  
15        *correctional system is under receivership. There is little doubt that*  
16        *the entire correctional system is failing.*

17        *(c) California's rank and file peace officers, parole agents, and*  
18        *prison guards are currently working without a collective*  
19        *bargaining agreement or will soon see their agreement expire.*  
20        *These agreements are paramount to the successful delivery of*  
21        *critical public safety services.*

22        *(d) Recent legislation has been interpreted by some county*  
23        *sheriffs to require the release of certain prisoners. Other sheriffs*  
24        *view the law as having no such requirement. Ultimately, there has*  
25        *been no statewide criteria applied and the courts have had to*  
26        *interpret the law for the sheriffs.*

27        *(e) California is a diverse state with public safety issues that*  
28        *are unique to geographic areas and to socioeconomic groups.*  
29        *However, California law seems to disregard these factors and*  
30        *apply a universal approach to public safety.*

31        *(f) California spends more than \$12 billion on public safety*  
32        *annually. This is more than the state spends on any other public*  
33        *service. Each public safety program is viewed, funded, and*  
34        *evaluated in isolation instead of together with other public safety*  
35        *programs.*

36        *(g) A coordinated, adequately funded and staffed, and*  
37        *accountable public safety system is needed in California.*

1 13839.2. (a) *There is hereby established in the agency or*  
2 *agencies designated by the Director of Finance pursuant to Section*  
3 *13820 the Coordinated Public Safety System Committee.*

4 (b) (1) *The committee shall be composed of the Attorney*  
5 *General, the State Public Defender, the Secretary of the*  
6 *Department of Corrections and Rehabilitation, the Secretary of*  
7 *California Emergency Management, the Commissioner of the*  
8 *California Highway Patrol, the Director of the California Office*  
9 *of Traffic Safety, the State Chief Information Officer, the Director*  
10 *of Alcohol and Drug Programs, and the Director of the Emergency*  
11 *Medical Services Authority.*

12 (2) *The committee shall be composed of the following additional*  
13 *members, six of whom shall be appointed by the Governor, four*  
14 *of whom shall be appointed by the Senate Committee on Rules,*  
15 *and four of whom shall be appointed by the Assembly Committee*  
16 *on Rules.*

17 (A) *A representative from an association representing victims*  
18 *of crime in California.*

19 (B) *A representative from an association representing a majority*  
20 *of California's county sheriffs.*

21 (C) *A representative from an association representing a majority*  
22 *of California's police chiefs.*

23 (D) *A representative from an association representing a majority*  
24 *of California's district attorneys.*

25 (E) *A representative from an association representing a majority*  
26 *of California's city attorneys.*

27 (F) *A representative from an association representing a majority*  
28 *of California's public defenders.*

29 (G) *A representative from an association representing a majority*  
30 *of California's firefighters.*

31 (H) *Two representatives from two associations (one from each*  
32 *association) representing California's rank and file peace officers.*

33 (I) *A representative from an association representing*  
34 *California's rank and file emergency medical technicians.*

35 (J) *A representative from an association representing a majority*  
36 *of California's probation officers.*

37 (K) *A representative from an association representing a majority*  
38 *of California's correctional officers.*

39 (L) *A representative from an association representing a majority*  
40 *of California's parole officers.*

1 (M) A representative with hands-on experience and advocacy  
2 work relative to California's "911" program and system.

3 (3) The committee shall also include as members any federal  
4 public safety official who agrees to participate upon the invitation  
5 of the Governor, the Senate Committee on Rules, or the Speaker  
6 of the Assembly.

7 (c) (1) The committee shall be led by two cochairs and a vice  
8 chair. The Governor and the Senate Committee on Rules shall  
9 each select a cochair. The Speaker of the Assembly shall select  
10 the vice chair.

11 (2) Of the three members specified in paragraph (1), one shall  
12 represent the interests of state government, one shall represent  
13 the interests of local government, and one shall represent the  
14 interests of the public.

15 (d) Committee member appointments shall be announced by a  
16 news release or similar public statement that shall be made jointly  
17 by the Governor, the Senate Committee on Rules, and the Speaker  
18 of the Assembly.

19 13839.4. (a) By December 31, 2011, the committee shall  
20 provide to the Legislature and the Governor a report, entitled the  
21 Master Plan for California Public Safety, which shall have the  
22 objective of making the public safer and which shall address issues,  
23 including, but not limited to, the following:

24 (1) Better coordination between all local, state, and federal  
25 public safety agencies and the Department of Corrections and  
26 Rehabilitation and other detainment agencies.

27 (2) Establishment of best practices to reduce crime rates in  
28 California.

29 (3) Requirement that public safety agencies base their actions  
30 on measurable evidence.

31 (4) Identify and recommend methods to obtain potential grants  
32 available to local, state, and federal public safety agencies, and  
33 to the Department of Corrections and Rehabilitation and other  
34 detainment agencies in California to be used to enhance the public  
35 safety.

36 (b) (1) A report to be submitted pursuant to subdivision (a)  
37 shall be submitted in compliance with Section 9795 of the  
38 Government Code.

39 (2) Pursuant to Section 10231.5 of the Government Code, this  
40 section is repealed on December 31, 2015.

1     13839.6. (a) *The committee shall meet and hold hearings at*  
2 *least monthly in various areas around the state, including*  
3 *metropolitan, urban, rural, northern, southern, coastal, and inland.*

4     (b) *The committee shall hold hearings in compliance with the*  
5 *Bagley-Keene Open Meeting Act (Article 9 (commencing with*  
6 *Section 11120) of Division 3 of Title 2 of the Government Code).*

7     (c) *The committee shall only meet if the Legislature and*  
8 *Governor have identified and appropriated funds in the budget*  
9 *act for the purposes of funding the costs of the committee.*

10    13839.8. *The Governor, Legislature, county boards of*  
11 *supervisors, mayors, and city councils are encouraged in the*  
12 *strongest terms to adopt and implement legislation, regulations,*  
13 *executive orders, and resolutions in order to effectuate as soon as*  
14 *possible the recommendations of the committee.*

15    ~~SECTION 1. It is the intent of the Legislature to create a~~  
16 ~~Department of Public Safety, the head of which shall serve in the~~  
17 ~~Governor's cabinet.~~